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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/403,429
Filed: 10/20/1999
1st Inventor: T. Shimizu
For: Rapidly Disintegrable Solid Preparation
Atty. Dkt. No. 2535 US0P

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PATENT & TRADEMARK OFFICE

Art Unit: 1615
Examiner: S. Tran
Allowed:
Batch:
Paper No.: 19

Ret
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Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed October 2, 2001 (Paper No. 18), Applicants respectfully request reconsideration of the application in view of the remarks set forth below. An Appendix; two Declarations under 37 C.F.R. Sec. 1.132; a Supplemental Information Disclosure Statement, Petition and Statement under Sec. 1.97(e); a Petition for a One-Month Extension of Time and an authorization to charge the deposit account \$180.00 for the 37 C.F.R. Sec. 1.17(p) fee, \$130.00 for the 37 C.F.R. Sec. 1.17(h) fee and \$110.00 for the 37 C.F.R. Sec. 1.17(a)(1) fee accompany this amendment.

REMARKS

I. Discussion of the Withdrawal of Claims 14-17

The Examiner has indicated that claims 14-17 have been withdrawn, as directed to a non-elected invention. Applicants respectfully request that the Examiner reconsider this decision.

Applicants do not believe that the further definition in claim 14 of the first component of the solid preparation, enteric coated fine granules of lansoprazole, represents a separate invention. Rather, claim 14 still represents the solid preparations defined by claim 1.

Claim 14 depends upon claim 1, which is directed to solid preparations containing a component which is granules or fine granules of lansoprazole. Solid preparations are defined as tablets, granules or fine granules on page 12, lines 10-13 of the specification, while on page 16, line 22, the specification indicates that tablets can contain fine granules. Furthermore the